

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STATE FARM FIRE AND
CASUALTY COMPANY

v.

CM VANTAGE SPECIALTY
INSURANCE COMPANY, ET AL.

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CIVIL ACTION

NO. 21-1616

ORDER

AND NOW, this 10th day of March, 2022, upon consideration of Defendants' Motion to Dismiss (Docket No. 8), all documents filed in connection therewith, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED** in part and **DENIED** in part as follows:

1. The Motion is **GRANTED** as it pertains to State Farm's claim in Count I for a declaration that CM Vantage has an obligation to indemnify the Providence Hill Homeowners Association and Castlebridge Management, LLC (the "Property Owners") in Petruno v. Providence Hill Homeowners Association, et. al., No. 01671 (Philadelphia Cty. Ct. of Common Pleas, May Term 2019) (the "Underlying Action"), and that claim is **DISMISSED**;
2. The Motion is **DENIED** in all other respects.

BY THE COURT:

s/ John R. Padova
John R. Padova, J.